

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:
All Actions

**DEFENDANTS' MEET AND CONFER
STATEMENT REGARDING MOTION
FOR PROTECTIVE ORDER
CONCERNING PLAINTIFFS'
SUBPOENAS TO THIRD-PARTY
MANUFACTURERS OF PATIENT
WARMING DEVICES**

The undersigned counsel for Defendants 3M Company and Arizant Healthcare Inc. ("Defendants") certifies that counsel for Defendants met and conferred with Plaintiffs' counsel as follows:

1. On February 22, 2017, counsel for Defendants sent a letter to counsel for Plaintiffs setting forth Defendants' relevance objections to Plaintiffs' February 17, 2017 subpoenas to third-party manufacturers of patient warming devices, and requesting that Plaintiffs withdraw those subpoenas. Plaintiffs did not respond to the letter.
2. On March 7, 2017, following this Court's ruling on VitaHEAT's relevance objection, counsel for Defendants sent another letter to counsel for Plaintiffs renewing their relevance objection and requesting that Plaintiffs withdraw the subpoenas.

3. On March 8, 2017, counsel for the parties conferred by email. Plaintiffs disagreed with Defendants' position that the Court's VitaHEAT ruling limits Plaintiffs' ability to obtain documents from manufacturers of other patient warming devices.

4. As of the time of this filing, Plaintiffs have not withdrawn or (to Defendants' knowledge) in any way limited their subpoenas.

As such, counsel for Defendants and Plaintiffs have not been able to resolve any portion of Defendants' Motion at this time.

Dated: March 10, 2017

Respectfully submitted,

s/Benjamin W. Hulse

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